

# Exhibit 5

**Exhibit 5**

RECEIVED

OCT 07 2011

MORRISON & FOERSTER



U.S. Citizenship  
and Immigration  
Services

September 29, 2011

COW2011000600

Jason A. Malinsky  
425 Market Street  
San Francisco, CA 94105-2482

Dear Jason A. Malinsky:

This is a response to your Freedom of Information Act/Privacy Act (FOIA/PA) request received in this office to the following, on July 22, 2011.

All statistics on overseas adjudications, including requests for review/reconsideration, from the Overseas Tracking System from 2003 to present day, including but not limited to: Data on decisions (e.g. grant v. denial rates) broken down by circuit ride leader, circuit ride, office district, and individual officer; each applicant's country of origin; the ultimate determination (e.g. re-interview v. reversal; grant v. deny); and

All records discussing or analyzing the above-mentioned statistics, including, but not limited to internal memoranda, reports, and emails; The U.S. Citizenship and Immigration Services ("USCIS") quality assurance program review "of a statistically valid sample of refugee cases" conducted in Fiscal Year 2009 as described in Alejandro N. Mayorkas's July 31, 2010 memorandum to January Contreras, a copy of which is attached;

All post-2001 USCIS data on overseas adjudications, including all available data prior to the introduction of the case management system.

On August 31, 2011 you appealed the USCIS FOIA office's decision to deny your fee waiver request. Upon review of the documents that you submitted in support of request to grant your fee waiver appeal USCIS FOIA has agreed to grant your fee waiver request.

Sincerely,

Jill A. Eggleston  
Director, FOIA Operations